

Senate Bill 83
January 10, 2013
Presented by
Quentin Kujula
Senate Fish and Game Committee

Mr. Chairperson and committee members, I am Quentin Kujula, Wildlife Bureau Coordinator of the Montana Department of Fish, Wildlife and Parks (FWP). I am here in opposition to Senate Bill 83.

FWP developed through public process the current Montana Bighorn Sheep Conservation Strategy with an adoption date of January 2010. The strategy is meant to guide Montana's bighorn sheep management and has garnered a positive reputation in Montana and across the western states. Its public process and ultimate adoption included significant efforts to engage and incorporate landowner and industry perspectives to include a definitive anchor to existing state statute ensuring due consideration of potential agricultural impacts. One objective identified in the strategy is to "establish five new viable and huntable populations over the course of the next 10 years." This specific objective was motivated by significant public and management interest in reasonably expanding and securing the relatively few bighorn sheep currently in Montana and by significant public opposition to recent exports of bighorn sheep to out-of-state transplant sites. Potential bighorn sheep transplant sites are by nature limited given specific habitat requirements and bighorn vulnerability to disease and die-offs often associated with contact with domestic sheep. Given existing Montana sheep populations routinely produce surplus sheep that potentially endanger those same populations or their habitats, transplants are seen as management assets for both the source and new populations.

In the last two years, FWP has conducted formal review process for two potential release sites--the Lewis and Clark Caverns area and the Bridger Mountains. Neither has moved forward. The Lewis and Clark Caverns effort suffered procedural criticisms primarily related to landowner notification. The Bridger Mountains effort was adjusted in response to those criticisms but did not move forward with a 2013 release due largely to the absence of collaboratively identified mitigation efforts for keeping domestic and bighorn sheep separated and for expressed opposition or concern from some landowners.

FWP opposes SB 83 as written because its constraints would effectively preclude establishment of any new bighorn sheep population, and is unnecessary given the sideboards in the recently adopted conservation strategy. Existing law, written conservation strategy and process already provide reasoned participation, protection or consideration for landowners and land uses as well as the sheep. This is confirmed by the recent Lewis and Clark Caverns and Bridger Mountains efforts. Additional constraints within SB 83 would significantly reduce if not eliminate the critical management option of new in-state releases of bighorn sheep if only by reducing the number of sites available for consideration. Elements of this bill seen as particularly problematic include but are not limited to the fixed percentage of public land, the restriction to historical habitat, the preclusion of potential mitigation efforts as a management option, the required removal of dispersing sheep even if there are no recognized issues, and unclear definitions of terms to include "consult and coordinate". While speaking in opposition to the bill as currently written, FWP remains willing and hopeful for the opportunity to engage any discussion on potential amendments.

FWP respectfully requests a do not pass on SB 83 as written.